

Village of Warwick Planning Board
Change of Use Waiver Application

\$150 -
\$300.00
Escrow

For Office Use Only:

Action Date: _____ Date Received: 10/22/25
Fees Paid/Amt: _____ Received By: KAB

Has the ZBA granted any variances or special permits for this property?: Yes - attached
(Attach a copy of any variance or special permit to this application)

Please include a copy of the most recent or previously approved Site Plan. Attached

Owner's Name: Warwick LLC

Address: 8 Forester Ave., 2nd Floor

Telephone: Home: 845-486-1998 Business: 845

Applicant's Name: Same

Address: _____

Telephone: Home: _____ Business: _____

Tax Map ID: _____
Section: 207 Block: 3 Lot(s): 3

Project Location: 8 Forester

Zoning District: CB Parcel Area (SF/Acres): 37,527

Applicant to complete the following questions:

1. Identify the EXISTING & PROPOSED category of use(s) of the property & building (Check all that apply):

****See Section 145-30 Use Table for uses within each category (Included as Attachment 1****

EXISTING

Type of Use

Residential

Mixed Uses

General Uses

Business and Service Uses

X

PROPOSED

Type of Use

Residential

Mixed Uses

General Uses

Business and Service Uses

X

Continued on Next Page

**Village of Warwick Planning Board
Change of Use Waiver Application**

2. Identify the EXISTING & PROPOSED use(s) of the property and building (Complete the following table):

Building Story	Existing Use	Existing Area (SF)	Proposed Use	Proposed Area (SF)
First Floor				
Second Floor				
Third Floor	Office	1,100 SF	residential	1,100 SF

Describe the PROPOSED use(s): 2-bedroom Apartment

3. Identify the Specific Use and Use Group that applies to the proposed use(s): *C, J
(See Section 145-31 for the Use Table and specific uses - Included with this form as Attachment 1)

4. Is the property located within the Historic District? ☒ (Y/N): _____

5. Are there any physical changes proposed to the property or exterior of the building? ☒ (If Yes, Describe.
If No, skip Questions 6, 7, & 8):

Enclosed Stairs to be added + rooftop deck

6. Complete the following table for the applicable Bulk Zoning Requirements for the proposed use/use group:
(See Chapter 145 ZONING, Article IV BULK REQUIREMENTS of the Village of Warwick Code - Attachment 2)

	Required	Existing	Proposed
Min Lot Area (SF)			
Lot Width (FT)			
Front Setback (FT)			
Side Setback (FT)			
Total Side Setback (FT)			
Side Yard (FT)			
Side Yard w/in 25' of a R Zone			
Rear Setback (FT)			
Rear Yard (FT)			
Rear Yard w/in 25' of a R Zone			
Street Frontage (FT)			
Max Height (FT)			
Development Coverage (%)			
Building Coverage (%)			
Floor Area Ratio (F.A.R.)			
Lot Depth (FT)			
Livable Floor Area/Unit (SF)			
Lot Area/Dwelling Unit (FT)			
Bedrooms/Acre Lot Area			

Continued on Next Page

**Village of Warwick Planning Board
Change of Use Waiver Application**

7. Are there any EXISTING easements for access, drainage, sewer/water utility lines, underground/above ground utility rights-of-way, street rights-of-way, etc.? (Y/N) If yes, identify each by type, size, and location:

No

(All existing easements & ROWs should be shown on the property survey submitted with this application**)**

8. Will any of the EXISTING easements identified above be altered, changed, or effected by the proposed change of use? (Y/N) (N)

If the project is located within the Historic District it must be referred to the Village of Warwick AHDRB

9. Are there any physical changes proposed to the interior of the building? (Y/N) (Describe): _____

10. Is the property located wholly or partially within a FEMA designated Floodplain (Y/N) _____
(FEMA Floodplain maps available for review at Village Hall)

11. Identify the total EXISTING and PROPOSED water and sewer usage rates for each use in gallons per day (GPD):
(See Water Billing Clerk for past data) (See Attachment 3 for standard usage rates)

	Existing Use	Proposed Use
Water Use (GPD)	411 GPD	+ 110 GPD
Sewer Use (GPD)	411 GPD	+ 110 GPD

* TBD

12. Is on-street parking available near the site? (Y/N): Private Parking Lot

13. Is a Municipal Parking Lot available within 300-FT of the site? (Y/N) Identify Location: No

14. Identify the number of on-site parking spaces Provided for the EXISTING and PROPOSED use(s):

	Existing Use	Proposed Use
# Spaces Provided	44 +/-	44

15. Identify the total EXISTING and PROPOSED number of persons occupying the site as employees, customers, or otherwise:

	Existing Use	Proposed Use
# Employees	2	0
# Customers		
# Other Users		

Continued on Next Page

Creation Date: February 22, 2010

Revised: April 2, 2010

**Village of Warwick Planning Board
Change of Use Waiver Application**

16. Identify the number of deliveries per day for the EXISTING and PROPOSED use(s):

	Existing Use	Proposed Use
# Deliveries/Day	N/A	

17. Identify the number, location, and size of loading spaces for the EXISTING and PROPOSED use(s):

	Existing Use	Proposed Use
# Loading Areas	N/A	
Loading Area Size		
Loading Location		

18a. Identify the amount of solid waste/garbage generated by the EXISTING and PROPOSED use(s):

	Existing Use	Proposed Use
Cans of Waste Generated/Wk.	1	1

18b. Identify the method of solid waste disposal for the EXISTING and PROPOSED use(s):

	Existing Use	Proposed Use
Waste Disposal Method	1	1

(i.e. How often is waste collected?
Will individual cans or a dumpster
be used?)

18c. Identify the location of any outdoor storage of solid waste for the EXISTING and PROPOSED use (S):

	Existing Use	Proposed Use
Outdoor Waste Storage Location	1 Dumpster	1 Dumpster

19. Will the PROPOSED use increase the location, amount of, and Intensity of exterior lighting? (Y/N) ☒ N

If YES, Describe:

20. Will there be any change in the existing drainage or stormwater detention areas? (Y/N) ☒ N If YES, Describe:

Continued on Next Page

**Village of Warwick Planning Board
Change of Use Waiver Application**

21. Will there be any Increase in demand of municipal services such as fire, police, ambulance, school services, etc? (Y/N): If yes, please describe:

22. Will the proposed use routinely produce odors? (Y/N) If YES, Describe:

23. Will the proposed use produce operating noise exceeding the local ambient noise levels? (Y/N)

If YES, Describe:

24. Identify the hours of operation for the EXISTING and PROPOSED use(s):

	Existing Use	Proposed Use
Hours of Operation	N/A	

26. Are any other outside agency approvals required for the PROPOSED use? (Y/N) If yes, list all approvals:

****Applicant to certify that the above information is complete and correct. All required information must be completed in order for the Change of Use Waiver Application to be heard at a Planning Board meeting****

Signature of Applicant:

Date: 10/22/25

Signature of Owner/Agent:

Date: 10/22/25

To be completed by the Village of Warwick Planning Board Secretary:

****Note: The Planning Board Secretary is authorized to review this application for completeness purposes only. Once the application has been deemed complete it will be forwarded to the Planning Board for formal action.****

1. Has the information in this Waiver Application been reviewed for completeness? (Y/N):

2. Has the Applicant submitted a current certified property survey? (Y/N):

Signature of Planning Board Secretary

10/22/25
Date

Continued on Next Page

**Village of Warwick Planning Board
Change of Use Waiver Application**

To be completed by the Village of Warwick Planning Board:

1. Has the information in this Waiver Application been reviewed by the Planning Board for completeness and accuracy? (Y/N): _____

2. Does this application require formal Site Plan Review/Approval by the Planning Board? (Y/N) (Describe): _____

Waiver Approval:

YES

☐

NO

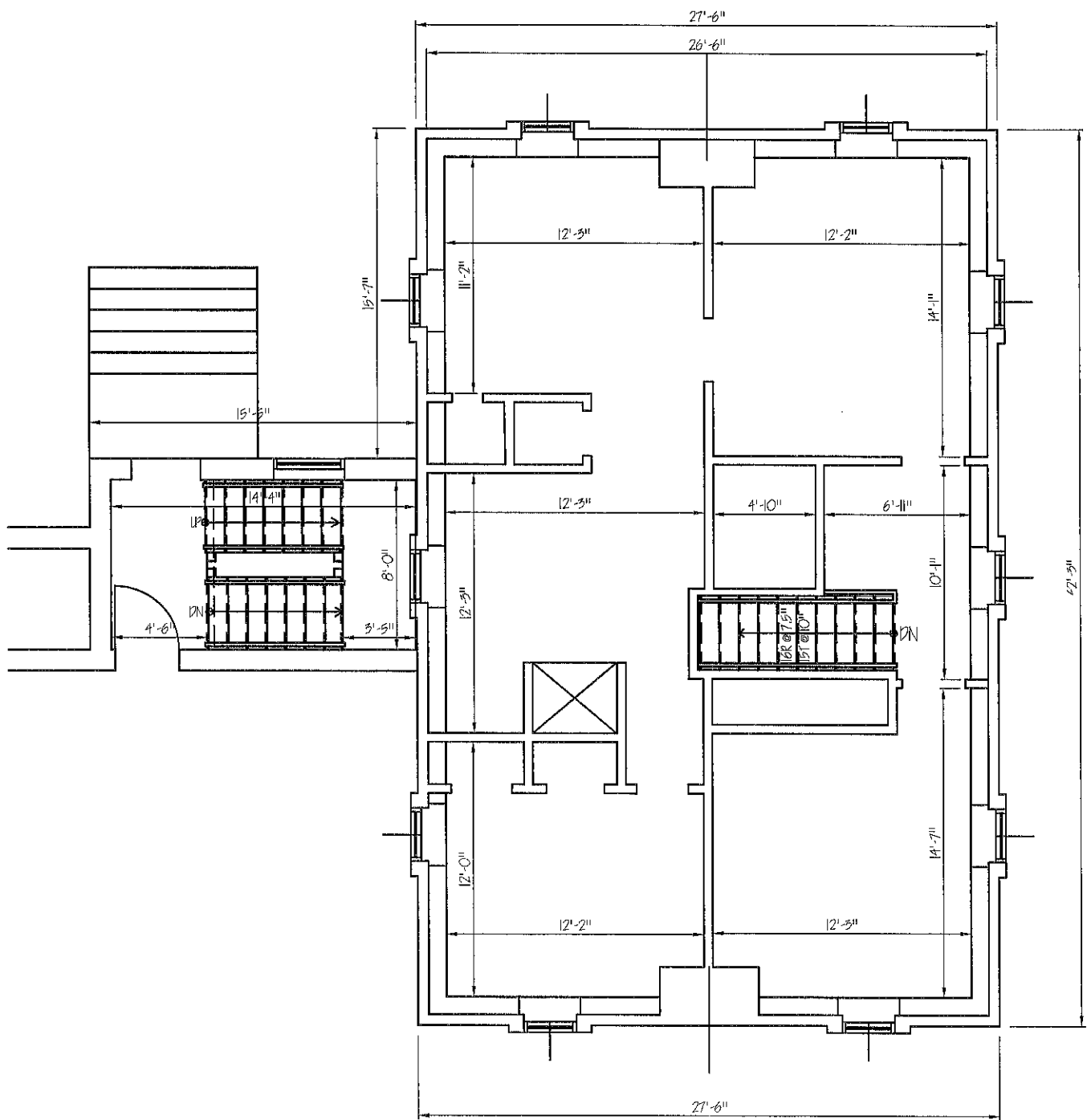
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Date:

Does the Planning Board have any specific comments or conditions on this Waiver Approval? _____

Signature of Planning Board Chairman

Date



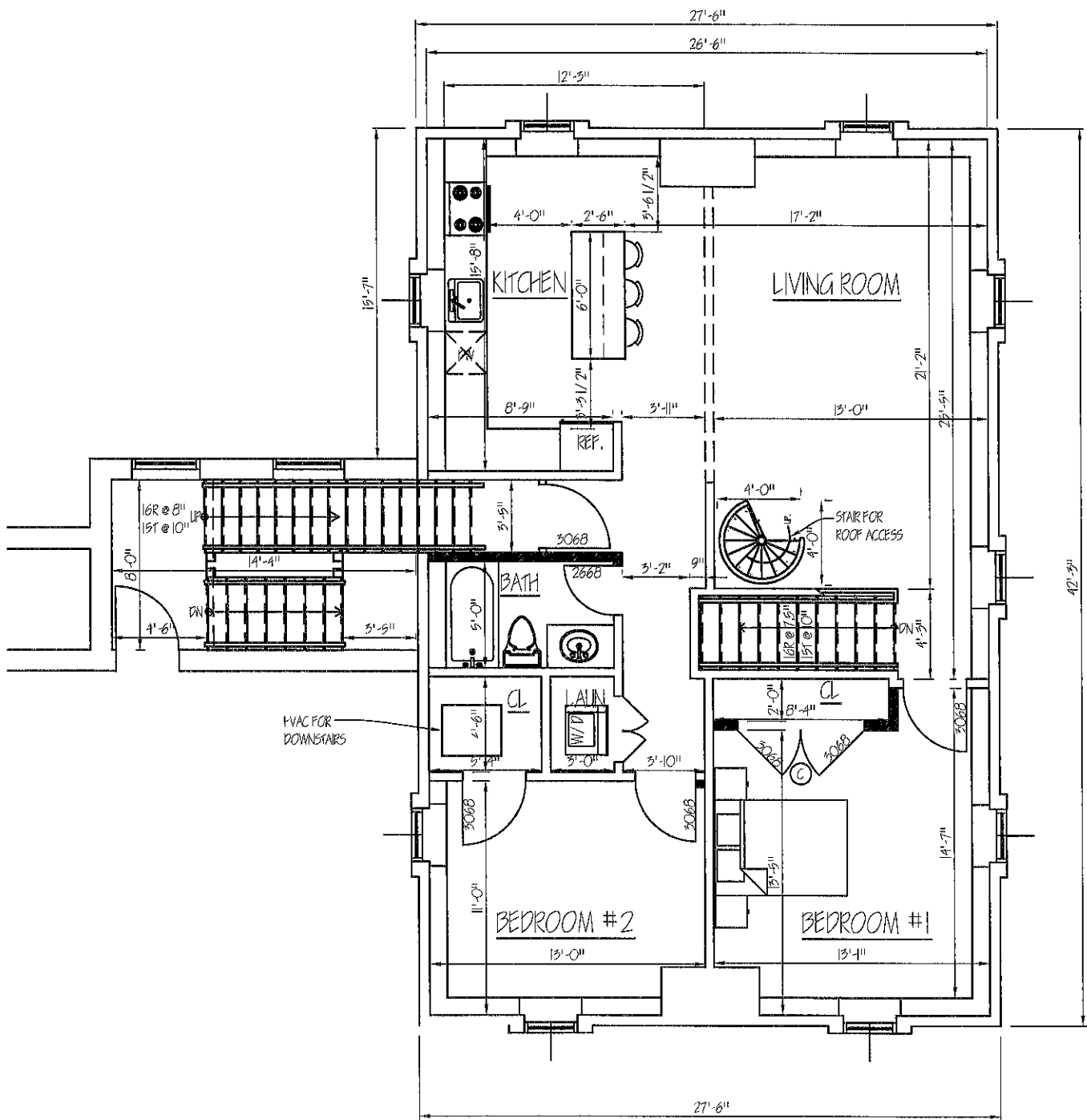
1 EXISTING THIRD FLOOR PLAN
A-6 SCALE 1/4" = 1'-0"

SK-1

Drawn by
KMKR
2306034
APRIL 22, 2025

13 FORESTER AVENUE
WARWICK, N.Y.

IRACE
ARCHITECTURE
15 ELM STREET
WARWICK, NEW YORK 10990
TEL: 845-888-1019
FAX: 845-888-0288



1 PROPOSED THIRD FLOOR PLAN
A-3 SCALE 1/4" = 1'-0"

SK-2

Drawn by
KMKR
2306034
APRIL 22, 2025

13 FORESTER AVENUE
WARWICK, N.Y.

IRACE
ARCHITECTURE
15 ELM STREET
WARWICK, NEW YORK 06090
TEL: 845-888-0000
FAX: 845-888-0000



ROOF OPTION 'A'
4-22-25

SK-3

Drawn by
KMRR

2506054

APRIL 22, 2025

13 FORESTER AVENUE
WARWICK, N.Y.

IRACE
ARCHITECTURE
15 ELM STREET
WARWICK, NEW YORK 06090
TEL: 845-988-1100 FAX: 845-988-2000



ROOF OPTION 'B'

4-22-25

SK-4

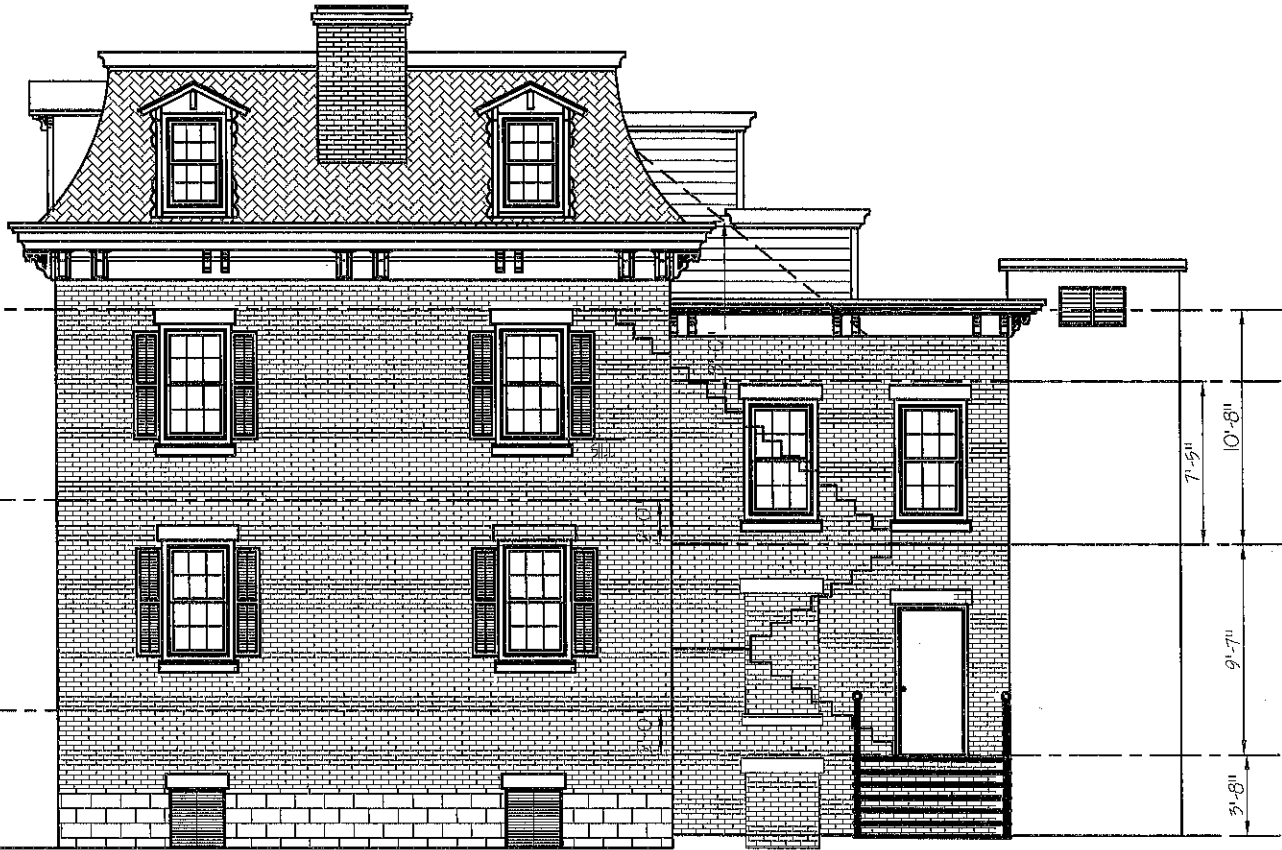
Drawn by
KMRR

2306034

APRIL 22, 2025

13 FORESTER AVENUE
WARWICK, N.Y.

IRACE
ARCHITECTURE
15 ELM STREET
WARWICK, NEW YORK 10990
TEL - 845 - 988 - 1010
TEL - 845 - 988 - 0208



ROOF OPTION 'C'
4-22-25

SK-5

DATE
KMR

NO.
2306034

DATE
APRIL 22, 2025

13 FORESTER AVENUE
WARWICK, N.Y.

**IRACE
ARCHITECT**

15 ELM STREET
WARWICK, NEW YORK 10990
P-845-9888-0198
F-845-9888-0298

77 Main Street
Post Office Box 369
Warwick, NY 10990
www.villageofwarwick.org



(845) 986-2031
FAX (845) 986-6884
mayor@villageofwarwick.org
clerk@villageofwarwick.org

VILLAGE OF WARWICK

INCORPORATED 1867

Close Public Hearing – Warwick LLC, 8 Forester Avenue Special Use Permit Application

A **MOTION** was made by Trustee Foster, seconded by Trustee Cheney and carried to close the Public Hearing on the application of Warwick LLC for a special use permit to convert existing first-floor office space into two one-bedroom apartments and one two-bedroom apartment and to add two additional one-bedroom apartments and one two-bedroom apartment on the second floor in the building at 8 Forester Avenue in the Village of Warwick (Tax Map Section 207, Block 3, Lot 3).

The vote on the foregoing **motion** was as follows: **APPROVED**

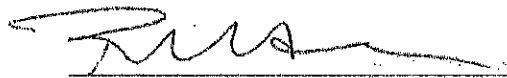
Trustee Cheney Aye Trustee Foster Aye Trustee Collura Aye

Trustee McKnight Absent Mayor Newhard Aye

I, RAINA ABRAMSON, Village Clerk of the Village of Warwick, in the County of Orange, State of New York HEREBY CERTIFY that the above motion was made at the regular meeting of the Village Board of the Village of Warwick duly called and held on Tuesday, January 2, 2024 and has been compared by me with the original minutes as officially recorded in the Village Clerk's Office in the Minute Book of the Village Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matter.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Warwick this 3rd day of January 2024.

SEAL


Raina M. Abramson, Village Clerk

Barry Cheney, Trustee, voting Aye

Carly Foster, Trustee, voting Aye

Thomas McKnight, Trustee, voting Absent

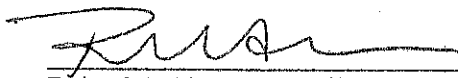
Mary Collura, Trustee, voting Aye

Michael Newhard, Mayor, voting Aye

I, RAINA ABRAMSON, Village Clerk of the Village of Warwick, in the County of Orange, State of New York HEREBY CERTIFY that the above motion was made at the regular meeting of the Village Board of the Village of Warwick duly called and held on Tuesday, January 2, 2024 and has been compared by me with the original minutes as officially recorded in the Village Clerk's Office in the Minute Book of the Village Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matter.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Warwick this 3rd day of January 2024.

SEAL


Raina M. Abramson, Village Clerk

RESOLUTION OF APPROVAL

FOR

AMENDED SITE PLAN

FOR

WARWICK LLC

(8 FORESTER AVE.)

Nature of Application

Warwick LLC has applied for a project referred to as "8 Forester Ave. - Amended Site Plan" which seeks to amend a site plan to convert approximately 2,400 SF of former medical office space on the first floor into three residential apartments and add a second story over the space which will house three additional apartments. No physical ground disturbance is proposed. The parcel is located on one tax lot identified on the Tax Maps of the Village of Warwick as Section 207, Block 3, Lot 3. The project includes the conversion of medical offices on the first floor to two (2) one-bedroom apartments and one (1) two-bedroom apartment and the construction on the second floor of two (2) one-bedroom apartments and one (1) two-bedroom apartment. There are no exterior changes proposed for the premises except for the addition of the second story to the existing structure.

Zoning District

The property affected by this resolution is located in the Central Business (CB) zoning district of the Village of Warwick. The proposed uses are permitted uses within the CB district subject to site plan approval and issuance of a special use permit from the Village Board.

Plans

The Site Plan materials being considered consist of the following:

1. A one sheet set of plans entitled "8 Forester Ave. - Amended Site Plan Aerial Image" dated 6-27-23 prepared by Kirk Rother, P.E.
2. A Long Form EAF, dated 11/14/23
3. Architectural drawings (2 sheets), dated 6/14/23, prepared by Irace Architecture
4. Architectural drawings (1 sheet), dated 11/2/23, prepared by Irace Architecture

History

Date of Application

The present application for amended site plan approval is dated June 26, 2023 and was filed with the Planning Board on or about the same date.

The Planning Board undertook its first review of the application on July 11, 2023.

GML 239 Referral

This application was referred to the Orange County Planning Department for review. That Department by its letter dated November 22, 2023 recommended the project as one for Local Determination.

SEQRA

Lead Agency & Type of Action:

The Village of Warwick Planning Board is the lead agency in regard to this action. The Planning Board's status as lead agency was established on October 10, 2023. On that same date the Board typed the amended site plan application as an Unlisted type action.

Declaration of Significance:

On November 14, 2023 the Village of Warwick Planning Board undertook a review and examination of the Long Form EAF provided by the applicant. Upon that review, the Planning Board determined that there would be no significant adverse environmental impacts that would result from the amended site plan project primarily because there were no exterior changes proposed for the project site. Thereupon, the Board resolved to issue a Negative Declaration for the amended site plan project.

PUBLIC HEARING

A public hearing on this application was convened on December 12, 2023 and held open pending a determination from the Village Board whether to issue a required special use permit. At that meeting no members of the public spoke in favor or against the project.

Special Use Permit

On January 2, 2024 the Village Board of the Village of Warwick granted a special use permit for the project.

PUBLIC HEARING -- Continued:

The public hearing was continued on January 9, 2024. Again, no members of the public spoke in favor or against the project. The public hearing was thereupon closed.

Findings

Project

The Planning Board has determined that final approval of the amended site plan will substantially serve the public convenience, safety and welfare in that the permitted construction of the proposed renovations and second floor apartments is in the best interest of the applicant and the Village.

Resolution of Approval

NOW, THEREFORE, THE PLANNING BOARD RESOLVES to grant final approval to the amended site plan application of Warwick, LLC as depicted on the plans identified above upon the conditions outlined below, and the Chairperson (or his designee) is authorized to sign the plans upon satisfaction of those conditions below noted to be conditions precedent to such signing.

General Conditions

1. This approval is conditioned upon the applicant submitting all necessary copies of the plans to be signed, as required, to the Village of Warwick Planning Department.
2. This approval is further conditioned upon the applicant paying or depositing into escrow all applicable review, inspection and any other applicable fees.
3. This approval is further conditioned upon the applicant delivering (prior to signing of the plans) proof, in writing, that all fees—engineering, legal and otherwise—in regard to this project have been fully paid.
4. The plans shall not be signed until proof, satisfactory to the Chair, has been presented showing that all conditions of this approval have been fulfilled or otherwise satisfied.
5. All conditions of this conditional approval shall be fulfilled within twelve (12) months from the date set forth at the foot of this resolution unless the applicant shall, within said twelve (12) month period and prior to expiration of said time, file with the Planning Board a request for an extension of this conditional approval and prove to the satisfaction of the Planning Board that such extension is justified based upon such matters as are outside the control of the applicant. Upon expiration of said twelve (12) month period without an extension having been granted this conditional approval shall lapse.
6. All conditions precedent to this approval shall be satisfied prior to issuance of a Building Permit for the new structure.

7. No approval is intended to be given or is given by this resolution for site plan elements depicted on adjoining properties.
8. As-built" plans shall be provided to the Village Engineer for review and approval upon completion of the improvements. The Village Engineer may require a preliminary "as -built" plan sooner if he/she determines that such a preliminary "as-built" plan is required to ensure the suitability and safety of the ongoing construction.
9. Construction hours at the project site shall be limited to the hours of 7:00 a.m. and 7:00 p.m. on weekdays and 8:00 a.m. and 7:00 p.m. on weekends. There shall be no construction on Sundays.

Specific Conditions

10. The owner shall construct and maintain the premises in keeping with the findings of the AHDRB as recited in its determination made November 9, 2023 and as may be amended by subsequent determination of that Board.
11. The plans shall be amended to satisfy the review comments provided by the Village Engineer.

12.

In Favor 5 against 0 Abstain — Absent —

Dated: January 9, 2024



JESSE GALLO, CHAIRMAN
VILLAGE OF WARWICK PLANNING BOARD

NOTE: The owner of the premises which is subject to this approval, their successors, heirs, and assigns, are hereby advised to apprise themselves of the provisions of Village Code

Section 145-98 which provides for the expiration of approved site plans. The provisions of Section 145-98 provide in part that:

A. Every Site Plan approval shall expire if the work authorized has not commenced within twelve (12) months from the date of its approval, subject to any extension or has not been completed within twenty-four (24) months from the date of Site Plan approval unless the applicant has requested and been granted a phased construction schedule.

B. If construction has not been commenced within one (1) year from the approval of the Site Plan or phased construction schedule has not been completed, the holder of the approval may apply to the Planning Board for an extension not to exceed one (1) additional year and such application for extension must be filed prior to the end of the one-year period. Upon the payment of one-half (1/2) of the application fees required for the original Site Plan approval and any professional review fees incurred, the Planning Board may, in its discretion and for due cause, extend the approval for a period not to exceed one (1) additional year from the date of its expiration.

C. Failure to receive an extension or complete work within the time prescribed, if any specified in the approval, shall require that a new Site Plan approval application be filed, and a new approval issued before any work may commence or continue.

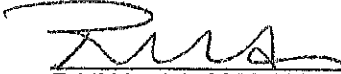
STATE OF NEW YORK)
) ss:
COUNTY OF ORANGE)

I, KRISTIN BIALOSKY, Secretary of the Planning Board of the Village of Warwick, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the Planning Board at a meeting of said Board held on January 9, 2024.



KRISTIN BIALOSKY, SECRETARY
VILLAGE OF WARWICK PLANNING BOARD

I, RAINA ABRAMSON, Clerk of the Village of Warwick, does hereby certify that the foregoing Resolution was filed in the Office of the Village Clerk on January 19, 2024



RAINA ABRAMSON, Village Clerk



VILLAGE OF WARWICK
INCORPORATED 1867

**RESOLUTION GRANTING SPECIAL USE PERMIT FOR A
SIX-APARTMENT MULTIPLE DWELLING AT 8 FORESTER AVENUE**

WHEREAS, the applicant, Warwick LLC, owns certain real property located at 8 Forester Avenue, Warwick, New York (Section 207, Block 3, Lot 3); and

WHEREAS, the said property is located in a Central Business District ("CB"); and

WHEREAS, the applicant has submitted an application proposing to convert existing first floor office space to two one-bedroom apartments and one two-bedroom apartment and to establish two one-bedroom apartments and one two-bedroom apartment on the second floor of the building on the said property;

WHEREAS, under the Village Zoning Code the proposed apartment building constitutes a "Multiple Residence"; and

WHEREAS, the Table of Use Requirements in the Village Zoning Code lists Multiple Residence as a use permitted in the CB District subject to grant of a special use permit from the Village Board and grant of site plan approval by the Planning Board; and

WHEREAS, the Planning Board, as lead agency in review of the project under the State Environmental Quality Review Act, has determined that it is an Unlisted Action and has issued a Negative Declaration; and

WHEREAS, the applicant has now applied to the Village Board for a special use permit pursuant to Village Code §145-127 for establishment of the proposed multiple dwelling; and

WHEREAS, under the Village Code, an application for approval of a multiple dwelling must meet the standards set forth in §145-120 as well as the particular requirements set forth in §145-127; and

WHEREAS, the Village Board has duly noticed and held a public hearing on the application for a special use permit;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board does hereby make the following findings pursuant to Village Code §145-120:

A. The proposed development of the subject property is of such location, size, and character that it will be in harmony with the appropriate and orderly development of the neighborhood in which it is situated and will not be detrimental to adjacent properties. The subject property is an existing building located in a neighborhood in which re-use of it as an

apartment building will be consistent with existing uses in the area. Further, it will help increase the Village's stock of entry level housing.

B. The proposed use and development of the subject property as multiple dwelling does not pose any undue hazards to pedestrian and vehicular traffic. There is ample off-street parking on the property, and sight distances are not a concern for ingress and egress from the property.

C. The location and height of the building on the property is not of such nature, size, appearance or location that it will hinder or discourage use or development of other properties in the neighborhood or the district. Most of the property in the neighborhood is already built out. Thus, the physical dimensions of the building will not hinder or discourage use or development or re-development of other properties in the neighborhood or the district.

D. The proposed development of the property as a multi-family dwelling will not result in a need for additional public facilities or services, or create such fiscal burdens upon the Village greater than those which characterize uses permitted by right under applicable zoning. If the new residential use on the property results in any increase in the need for public facilities or services, or creates a greater fiscal burden upon the Village than the commercial use would create, it will be nominal.

2. That the Village Board does hereby make the following findings in regard to the applicant's ability to meet the "special conditions" criteria set forth in Village Code §145-127:

A. The applicant's property consists of .62 acres, and therefore meets the requirement that the subject property have a minimum lot size of 22,500 square feet.

B. The applicant has satisfied the requirement that the multiple residence must be constructed to resemble a single-family dwelling. The building is being constructed with a single main entrance for the apartments and, overall, it "resembles" a single-family dwelling to extent that it can.

C. The applicant meets the requirement that the multiple residence must be consistent with the character of the immediate surrounding neighborhood on the grounds set forth above.

D. Village Code §145-127 goes on to state additional standards which must be met if the applicant proposes to construct multiple buildings on a lot, but here the applicant proposes to construct a single mixed use commercial and residential structure, so these considerations do not apply here.

3. That the Village Board hereby grants the requested special use permit.

Trustee Cheney presented the foregoing resolution which was seconded by

Trustee Foster,

The vote on the foregoing resolution was as follows: **APPROVED**